III. Remarks

Reconsideration and allowance of the subject patent application are requested.

Claims 1-5, 7, and 9-16 are pending in the application. Claims 1, 5, and 11 are independent. Claims 6 and 8 have been cancelled without prejudice. Claims 1-5, 7, 9, and 10 have been amended herein. New claims 11-16 have been added. Support for these amendments and newly added claims may be found, for example, in Figure 1 and in the text describing Figure 1 at pages 10-21 of the specification, and also at page 7 of the specification. Therefore, no new matter has been added.

The specification has been amended to insert text corresponding to the originally filed claims. Because this text is supported by the text of the claims as originally filed, no new matter has been added.

As indicated in the non-final Office Action mailed August 3, 2007, claim 10 has been objected to due to the allegedly improper use of the word "it". As amended, claim 10 does not recite the word "it". Accordingly, this objection has been obviated.

Claims 5 and 8 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In response to this rejection, claim 8 has been cancelled, and claim 5 has been amended so that claim 5 is directed to a computer program stored on a computer readable media when executed by a computer, as suggested by the Examiner. Accordingly, Applicants submit that this rejection has been obviated in view of the claim amendments.

Claims 1, 7, 8, and 9 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In response to this rejection, claim 8 has been cancelled; claim 1 as been amended so that it is directed only to a system and not also to a

method; and claims 7 and 9 have been amended to delete the recitations indicated at page 3 of the Office Action. Accordingly, Applicants submit that, as amended, each of claims 1, 7, and 9 is not indefinite as required by 35 U.S.C. § 112, second paragraph, and therefore that this rejection has been obviated.

Claims 1-10 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,003,307 B1 to Kupsh et al. (hereinafter "Kupsh"), for the reasons indicated at pages 3-6 of the Office Action. This rejection is traversed.

As noted in the Abstract, Kupsh discloses a system and method for routing a mobile message. The mobile message is received at a mobile messaging gateway. At the mobile messaging gateway a determination is made as to the intended destination of the mobile message. The intended destination of the mobile message is one of an external messaging entity (ESME) and a Short Message Service Center (SMSC).

Notably, Kupsh fails to disclose the use of a single point of access to at least one network to at least one ASP or ESME by routing of a message to a virtual mobile station address. Further, Kupsh fails to disclose a HLR or MSC module with respect to the routing of a message to a given ASP or ESME. As a result, the system and method of Kupsh require all SMS-Cs and ASPs/ESMEs to interconnect with a new device using SMPP. For example, see Figure 3B and column 6, lines 50-60, which indicate that the ESMEs all have addresses in a "format understood by gateway 202."

By contrast, the routing table of Figure 3B in Kupsh is not necessary to the present invention, as SMS messages are directed to an ESME via "a virtual mobile station address", as recited in each of independent claims 1, 5, and 11. Support for this

feature is found at least in the paragraph that begins at the bottom of page 7 of the present specification, which states:

> The virtual mobile station address can be communicated to all subscribers in a given region, and can also deliver the SMS and/or other such related Multi-Media traffic to a subscriber irrespective of their roaming state. Any mobile subscriber world-wide has the ability to respond to an advertisement through a universal destination number assigned for the corresponding application.

In the present invention, all SMSCs world-wide direct SMS messages to the Universal Messaging Gateway by using the virtual mobile station address. In turn, the routing engine of the universal message gateway simply routes incoming messages to the appropriate ESME, but the routing engine does so merely on the basis of the virtual mobile station address. Accordingly, no routing table of the type shown in Figure 3B of Kupsh is required in the routing engine of the present invention.

Therefore, because Kupsh fails to disclose a virtual mobile station address to which SMS traffic is directed, as recited in each of independent claims 1, 5, and 11, Applicants submit that these independent claims are allowable over Kupsh for at least this reason. In addition, each of dependent claims 2-4, 7, 9, 10, and 12-16 depends from one of independent claims 1, 5, and 11, and therefore, each of the dependent claims is also allowable over Kupsh for the same reason as described above.

In view of the claim amendments and the above remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3633. All correspondence should be directed to our address given below.

Respectfully submitted,

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